

Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 694-1000

October 25, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Cosentino, OSC
Removal Action Branch
Emergency and Remedial
Response Division
U.S. Environmental Protection
Agency, Region II
2890 Woodbridge Avenue
Edison, NJ 08837

RE: Bayonne Barrel & Drum, Superfund Site, 150-154 Raymond
Boulevard, Newark, Essex County, New Jersey

Dear Mr. Cosentino:

Monsanto Company received a Section 104(e) Request for Information regarding the above-titled site on October 5, 1995. Attached is Monsanto Company's Response To The Request For Information, Bayonne Barrel & Drum, which incorporates objections to the breadth and burdensomeness of the request.

Monsanto conducted a corporate-wide search of available records concerning the site. While EPA has not alleged any connection between a specific Monsanto plant and the site, Monsanto queried its Delaware River plant in Bridgeport, New Jersey and its former facilities in New Jersey which were located in Camden, Kearny and Kenilworth. In addition, Monsanto queried current and former employees of those facilities with knowledge of operations and disposal practices. The names of those individuals are included in the attachment. Any contact with Monsanto employees must be made through Monsanto counsel listed below.

At this time, Monsanto does not have any information indicating a connection to the Bayonne site. Monsanto hereby requests, pursuant to the Freedom of Information Act, the assistance of the EPA in providing any information in its possession which has led EPA to include Monsanto as a recipient of this request.

Be assured that Monsanto supports the prompt and efficient cleanup of sites which present an imminent and substantial danger

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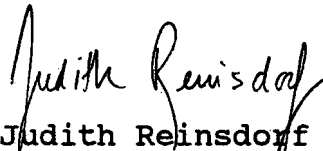


Joseph Cosentino, OSC
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Page 2

to human health or the environment. Accordingly, please keep us apprised of any new developments regarding the site conditions, additional studies and cleanup plans. In the event that U.S. EPA produces substantial evidence that Monsanto-generated hazardous materials are present at the site, Monsanto is prepared to participate with other parties and in appropriate remedial activities based upon an appropriate apportionment of responsibility. At the present time, however, the only information available to Monsanto indicates that it is not responsible for hazardous substances located at the Bayonne Barrel & Drum site. In the event Monsanto obtains additional information responsive to this request in the future, Monsanto will supplement this response.

If you have any questions regarding this matter, please contact me directly at (314) 694-8503.

Sincerely.


Judith Reinsdorf

JAR/sgf/046

Enclosure

cc: Marc Seidenberg, Esq.

MONSANTO'S COMPANY'S
RESPONSE TO REQUEST FOR INFORMATION,
BAYONNE BARREL & DRUM

Monsanto generally objects to the overly-broad and unduly burdensome nature of the questions included in the October 5, 1995 Request for Information propounded by the U.S. Environmental Protection Agency ("EPA"). In particular, Monsanto objects to the failure to identify a defined time period covered by these requests. Monsanto also objects to the instructions and definitions included in the request for information as exceeding the scope of EPA's authority for purposes of a hazardous waste disposal site information request. Monsanto objects that EPA's information request contains undefined or improperly-defined terms, rendering the questions vague and ambiguous, overly-broad and unduly burdensome. These objections are continuing in nature, and apply to each and every Monsanto response to EPA's Information Request, as set forth below.

REQUESTS

1. General Information About the Company

- a. State the correct legal name of the Company.
- b. Identify the legal status of the Company (corporation, partnership, sole proprietorship, specify if other) and the state in which the Company was organized.
- c. State the names(s) and address(es) of the President and the Chairperson of the Board of the Company.

- d. If the Company has subsidiaries or affiliates, or is a subsidiary of another organization, identify these related companies and state the names(s) and address(es) of the President(s) and the Chairperson(s) of the Board of those organizations. Provide such information for any further parent/subsidiary relationships.
- e. If the Company is a successor to, or has been succeeded by, another company, identify such other company and provide the same information requested above for the predecessor or successor company.
- f. If the Company transacted business with Bayonne Barrel & Drum in the name of an entity not disclosed above, give the name of such entity and state its relationship to the Company.

RESPONSE:

- a. Monsanto Company.
- b. Corporation, the State of Delaware.
- c. Robert B. Shapiro, Chief Executive Officer and Chairman of the Board. The address is:

800 N. Lindbergh Boulevard
St. Louis, MO 63167

- d. Please see enclosed 10-K filings with the Securities and Exchange Commission for the past five years.

Monsanto was not and is not a subsidiary of any other company. All subsidiary corporations are identified and officers are identified in the attached 10-K filing.

- e. Monsanto Company was incorporated in 1933 and is the successor to Monsanto Chemical Works, a Missouri corporation organized in 1901. Monsanto Company operated under the name "Monsanto Chemical Company" until 1964, which remains a divisional operating unit name.

- f. Not applicable.

2. Company's Relationship to Bayonne Barrel & Drum

- a. State whether the Company or any Company facility transacted any business with Bayonne Barrel & Drum for the disposal, treatment, or storage of any barrels, drums, or other containers (hereinafter collectively referred to as "Containers").

- i. If so, describe the relationship (nature of services rendered or products sold to the Company) between the Company and Bayonne Barrel & Drum;

- ii. Provide copies of any contracts or agreements between the Company and Bayonne Barrel & Drum;
 - iii. For each such facility, state the nature of the operations conducted at the facility, including the time period in which the facility operated; and
 - iv. For each such facility, state its name, address, and current RCRA Identification Number.
- b. In addition, if the Company transacted business with Bayonne Barrel & Drum, provide the following information for each transaction:
- i. Identify the specific dates of each transaction. Where an exact date cannot be provided for a transaction, provide an approximation by month and year;
 - ii. Identify the number of Containers that were the subject of each such transaction;
 - iii. Generically describe each Container that was the subject of each such transaction (example: closed-head steel drums, etc.);
 - iv. Identify the intended purpose of each such transaction;

v. State whether each Container that was the subject of the transaction contained any substance at the time of the transaction. As to each Container that contained any substance:

- (1) Identify each such substance, including its chemical content, physical state, quantity by volume and weight, and other characteristics; and
- (2) Provide all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;

vi. If you contend that any such Container did not contain any substance at the time of the transaction:

- (1) State whether such Container had previously been used by the Company to contain any substance, and if so:
 - (a) Identify all substances previously contained within such Container, including its chemical content, physical state, and other characteristics; and

- (b) Provide as to such substances, all written analyses that may have been made for each such substance or which may be in the custody or control of the Company and all material safety data sheets, if any, relating to each such substance;
- vii. Describe in detail any treatment of any Container that may have been performed by or on behalf of the Company prior to the time that the Container was transferred from the Company, including any process or procedure by which the Container was emptied or cleaned;
- viii. Provide copies of all documents relating in any way to each transaction, including copies of delivery receipts, invoices, or payment devices;
- ix. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction; and
- x. If you sent any Container by means of any third party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.

RESPONSE:

a. (i-v).

Monsanto searched for available records and queried employees for information concerning use or possible use of the Site. Monsanto has found no information that shows Monsanto has ever done business with Bayonne Barrel and Drum. Due to Monsanto's Record Retention Policy and the age of the transactions involved, many of the plants' records no longer exist. Monsanto has requested the assistance of EPA in identifying any records that link Monsanto to the Site.

b. (i-x).

See response to 2.a above.

3. Identify any other person (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title and a description of their responsibilities.

RESPONSE: See response to 2.a above.

4. Identify each person consulted in responding to these questions and correlate each person to the question on which he or she was consulted.

RESPONSE:

Donald C. Hoegel

Superintendent of
Environmental Control
Delaware River Plant
Route 130 South
Bridgeport, NJ 08014

Celso A. Balan

Former Site Manager Kearny
Pennsylvania Ave.
Kearny, NJ 07032

Constantino Barrial

Former Environmental
Specialist Kearny
Pennsylvania Ave.
Kearny, NJ 07032

Each of these individuals was consulted in answering question 2.

5. Provide a list of all insurance policies and indemnification agreements held or entered into by you that may indemnify you against any liability that you may be found to have under CERCLA. Specify the insurer, type of policy, effective dates, and state per occurrence policy limits for each policy. Copies of policies may be provided in lieu of a narrative response. In response to this request, please provide not only those policies and agreements that are currently in effect, but also those in effect since your company began sending Containers to the Site.

RESPONSE: Monsanto objects to Information Request No. 5 as overly broad, unduly burdensome and exceeding EPA's authority as to the site now at issue. Without waiving

these objections, Monsanto is at this time largely self-insured for environmental remediation. Accordingly, to the extent such information is necessary to determine Monsanto's ability to pay or perform a cleanup at the site now at issue, the attached 10-K filing(s) with the Securities and Exchange Commission for the past five years adequately provides assurance of Monsanto's financial capabilities.

6. State whether there exists any agreement or contract (other than an insurance policy) which may indemnify the Company, present or past directors, officers or owners of shares in the Company, for any liability that may result under CERCLA. Provide a copy of any such agreement or contract. Identify any agreement or contract that YOU are unable to locate or obtain.

RESPONSE: Monsanto Company objects to this request on the grounds that the Company, not its officers or directors, would be responsible for any liability that may result under CERCLA. Subject to this objection, attached are relevant excerpts from the Company's By-laws.

7. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

RESPONSE: Monsanto has no documents responsive to this request in its possession.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of Missouri
County of St. Charles

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

ALAN G. FAUST / JAK
NAME (print or type)

MANAGER REMEDIATION
TITLE (print or type)

Alan G. Faust
SIGNATURE

Sworn to me before this
25th day of October, 1995

Joani M. Madden
Notary Public

JOANI M. MADDEN
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES JUNE 29, 1996
ST. CHARLES COUNTY

MONSANTO COMPANY BY-LAWS

*As Amended July 23, 1993
(effective September 1, 1993)*

OFFICES

1. *Registered*

The name of the registered agent of the Company is The Corporation Trust Company and the registered office of the Company shall be located in the City of Wilmington, County of New Castle, State of Delaware.
2. *Other*

The Company shall have its General Offices in the County of St. Louis, State of Missouri, and may also have offices at such other places both within or without the State of Delaware as the Board of Directors may from time to time designate or the business of the Company may require.

STOCKHOLDERS' MEETINGS

3. *Annual Meeting*

An annual meeting of Stockholders shall be held on the fourth Friday of April in each year at a time designated by the Board of Directors for the purpose of electing Directors and for the transaction of such other business as properly may come before such meeting. If the day fixed for the annual meeting shall be a legal holiday in the state of the location of such meeting, such meeting shall be held on the next succeeding business day.
4. *Business to be Conducted at Annual Meeting*
 - (a) At an annual meeting of stockholders, only such business shall be conducted as shall have been brought before the meeting (i) pursuant to the Company's notice of the meeting, (ii) by or at the direction of the Board of Directors or (iii) by any stockholder of the Company who is a stockholder of record at the time of giving of the notice provided for in this By-Law, who shall be entitled to vote at such meeting and who shall have complied with the notice procedures set forth in this By-Law.
 - (b) For business to be properly brought before an annual meeting by a stockholder pursuant to Section (a) (iii) of this By-Law, notice in writing must be delivered or mailed to the Secretary and received at the General Offices of the Company, not less than 60 days nor more than 90 days prior to the first anniversary of the preceding year's annual meeting; provided, however, that in the event that the date of the meeting is changed by more than 30 days from such anniversary date, notice by the stockholder must be received not later than the close of business on the tenth day following the earlier of the day on which notice of the date of

55. *Lost, Stolen or
Destroyed
Certificates*

The Board of Directors may authorize a new certificate or certificates to be issued in place of any certificate or certificates theretofore issued by the Company alleged to have been lost, stolen or destroyed, upon the making of an affidavit of the fact by the person claiming the certificate of stock to be lost, stolen or destroyed. When authorizing such issue of a new certificate or certificates, the Board of Directors may, in its discretion and as condition precedent to the issuance thereof, require the owner of such lost, stolen or destroyed certificate or certificates, or his legal representative, to give the Company a bond sufficient to indemnify it against any claim that may be made against the Company on account of the alleged loss, theft or destruction of such certificate or the issuance of such new certificate.

56. *Terms of
Preferred Stock*

The provisions of these By-Laws, including those pertaining to voting rights, election of Directors and calling of special meetings of stockholders, are subject to the terms, preferences, rights and privileges of any then outstanding class or series of Preferred Stock as set forth in the Certificate of Incorporation and in any resolutions of the Board of Directors providing for the issuance of such class or series of Preferred Stock; provided, however, that the provisions of any such Preferred Stock shall not affect or limit the authority of the Board of Directors to fix, from time to time, the number of Directors which shall constitute the whole Board as provided in Section 15 above, subject to the right of the holders of any class or series of Preferred Stock to elect additional Directors as and to the extent specifically provided by the provisions of such Preferred Stock.

INDEMNIFICATION

57. *Indemnification*

(a) The Company shall indemnify and hold harmless, to the fullest extent permitted by applicable law as it presently exists or may hereafter be amended, any person who was or is made or is threatened to be made a party or is otherwise involved in any claim, action, suit, or proceeding, whether civil, criminal, administrative or investigative (a "proceeding") by reason of the fact that he, or a person for whom he is the legal representative, is or was a Director, officer, employee or agent of the Company or is or was serving at the request of the Company as a director, officer, employee, fiduciary or agent of another corporation or of a partnership, joint venture, trust, non-profit entity, or other enterprise, including service with respect to employee benefit plans, against all liability and loss suffered and expenses (including attorneys' fees) reasonably incurred by such person. The Company shall indemnify a person in connection with a proceeding initiated by such person or a claim made by such person against the Company only if such proceeding or claim was authorized by the Board of Directors of the Company.

(b) The Company shall pay the expenses incurred in defending any proceeding in advance of its final disposition, *provided, however*, that the payment of expenses incurred by any person covered hereunder in advance of the final disposition of the proceeding shall be made only upon receipt of an undertaking by or on behalf of the affected person to repay all amounts advanced if it should ultimately be determined that such person is not entitled to be indemnified under this By-Law or otherwise.

(c) If a claim for indemnification or payment of expenses under this By-Law is not paid in full within ninety days, or such other period as might be provided pursuant to contract, after a written claim therefor has been received by the Company, the claimant may file suit to recover the unpaid amount of such claim or may seek whatever other remedy might be provided pursuant to contract. In any such action the Company shall have the burden of proving that the claimant was not entitled to the requested indemnification or payment of expenses under applicable law. If successful in whole or in part, claimant shall be entitled to be paid the expense of prosecuting such claim.

(d) The rights conferred on any person by this By-Law shall not be exclusive of any other rights which such person may have or hereafter acquire under any statute, provision of the Certificate of Incorporation, these By-Laws, agreement, vote of stockholders or disinterested Directors or otherwise.

(e) Any repeal or modification of the foregoing provisions of this By-Law 57 shall not adversely affect any right or protection hereunder of any person with respect to any act or omission occurring prior to or at the time of such repeal or modification.

MISCELLANEOUS

58. *Corporate Seal*

The seal of the Company shall be circular in form, containing the words "Monsanto Company" and the word "Delaware" on the circumference surrounding the word "Seal." Said seal may be used by causing it or a facsimile thereof to be impressed or affixed or in any other manner reproduced.

59. *Fiscal Year*

The fiscal year of the Company shall begin on the first day of January in each year.

60. *Auditors*

The Board of Directors shall select certified public accountants to audit the books of account and other appropriate corporate records of the Company annually and at such other times as the Board shall determine by resolution.

61. *Waiver of Notice*

Whenever notice is required to be given pursuant to the law of Delaware, the Certificate of Incorporation or these By-Laws, a written waiver thereof, signed by the person entitled to notice, whether before or after the time stated therein, shall be deemed equivalent to notice. Attendance of a person at a meeting of stockholders or the Board of Directors or a committee thereof shall constitute a waiver of notice of such meeting, except when the stockholder or Director attends such meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the stockholders or the Board of Directors or committee thereof need be specified in any written waiver of notice unless so required by the Certificate of Incorporation or by these By-Laws.

FORM 10-K

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

(Mark One)

☒ ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 1990

OR

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

Commission file number 1-2516

MONSANTO COMPANY

(Exact name of registrant as specified in its charter)

DELAWARE

(State or other jurisdiction of
incorporation or organization)

43-0420020

(I.R.S. Employer
Identification No.)

800 NORTH LINDBERGH BLVD., ST. LOUIS, MO. 63167

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (314) 694-1000

Securities Registered Pursuant to Section 12(b) of the Act:

<u>Title of each class</u>	<u>Name of each exchange on which registered</u>
Common Stock \$2 par value	New York Stock Exchange
Preferred Stock Purchase Rights	New York Stock Exchange
9 $\frac{1}{8}$ % Sinking Fund Debentures due 2000	New York Stock Exchange
8 $\frac{1}{2}$ % Sinking Fund Debentures due 2000	New York Stock Exchange
8 $\frac{3}{4}$ % Sinking Fund Debentures due 2008	New York Stock Exchange

Securities Registered Pursuant to Section 12(g) of the Act:

None

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

State the aggregate market value of the voting stock held by nonaffiliates of the registrant: approximately \$6.6 billion as of the close of business on January 31, 1991.

Indicate the number of shares outstanding of each of the registrant's classes of common stock, as of the latest practicable date: 126,132,991 shares of Common Stock, \$2 par value, outstanding at February 28, 1991.

Documents Incorporated by Reference

1. Portions of Monsanto Company Annual Report to security holders for the year ended December 31, 1990. (Parts I and II of Form 10-K.)
2. Portions of Monsanto Company Notice of Annual Meeting and Proxy Statement dated March 15, 1991. (Part III of Form 10-K.)

FORM 10-K

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

(Mark One)

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MONSANTO COMPANY

(Exact name of registrant as specified in its charter)

DELAWARE(State or other jurisdiction of
incorporation or organization)43-0420020(I.R.S. Employer
Identification No.)800 NORTH LINDBERGH BLVD., ST. LOUIS, MO. 63167

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (314) 694-1000

Securities Registered Pursuant to Section 12(b) of the Act:

<u>Title of each class</u>	<u>Name of each exchange on which registered</u>
Common Stock \$2 par value	New York Stock Exchange
Preferred Stock Purchase Rights	New York Stock Exchange
9½% Sinking Fund Debentures due 2000	New York Stock Exchange
8½% Sinking Fund Debentures due 2000	New York Stock Exchange
8¾% Sinking Fund Debentures due 2008	New York Stock Exchange

Securities Registered Pursuant to Section 12(g) of the Act:

None

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☐

State the aggregate market value of the voting stock held by nonaffiliates of the registrant: approximately \$8.3 billion as of the close of business on February 28, 1992.

Indicate the number of shares outstanding of each of the registrant's classes of common stock, as of the latest practicable date: 124,056,243 shares of Common Stock, \$2 par value, outstanding at February 28, 1992.

Documents Incorporated by Reference

1. Portions of Monsanto Company Annual Report to security holders for the year ended December 31, 1991. (Parts I and II of Form 10-K.)
2. Portions of Monsanto Company Notice of Annual Meeting and Proxy Statement dated March 20, 1992. (Part III of Form 10-K.)

1992

FORM 10-K
SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

(Mark One)

☒ ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 1992

OR

☐ TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE
SECURITIES EXCHANGE ACT OF 1934

Commission file number 1-2516

MONSANTO COMPANY

(Exact name of registrant as specified in its charter)

DELAWARE

(State or other jurisdiction of
incorporation or organization)

43-0420020

(I.R.S. Employer
Identification No.)

800 NORTH LINDBERGH BLVD., ST. LOUIS, MO. 63167

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (314) 694-1000

Securities Registered Pursuant to Section 12(b) of the Act:

<u>Title of each class</u>	<u>Name of each exchange on which registered</u>
Common Stock \$2 par value	New York Stock Exchange
Preferred Stock Purchase Rights	New York Stock Exchange
9½% Sinking Fund Debentures due 2000	New York Stock Exchange

Securities Registered Pursuant to Section 12(g) of the Act:

None

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☐

State the aggregate market value of the voting stock held by nonaffiliates of the registrant: approximately \$6.1 billion as of the close of business on February 26, 1993.

Indicate the number of shares outstanding of each of the registrant's classes of common stock, as of the latest practicable date: 120,163,507 shares of Common Stock, \$2 par value, outstanding at February 26, 1993.

Documents Incorporated by Reference

1. Portions of Monsanto Company Annual Report to security holders for the year ended December 31, 1992. (Parts I and II of Form 10-K.)
2. Portions of Monsanto Company Notice of Annual Meeting and Proxy Statement dated March 19, 1993. (Part III of Form 10-K.)

1993

FORM 10-K
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

(Mark One)

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(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code (314) 694-1000

Securities Registered Pursuant to Section 12(b) of the Act:

Title of each class

Common Stock \$2 par value
Preferred Stock Purchase Rights

Name of each exchange
on which registered

New York Stock Exchange
New York Stock Exchange

Securities Registered Pursuant to Section 12(g) of the Act:

None

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☒

State the aggregate market value of the voting stock held by nonaffiliates of the registrant: approximately \$9.1 billion as of the close of business on February 28, 1994.

Indicate the number of shares outstanding of each of the registrant's classes of common stock, as of the latest practicable date: 118,614,871 shares of Common Stock, \$2 par value, outstanding at February 28, 1994.

Documents Incorporated by Reference

1. Portions of Monsanto Company Annual Report to security holders for the year ended December 31, 1993. (Parts I and II of Form 10-K.)
2. Portions of Monsanto Company Notice of Annual Meeting and Proxy Statement dated March 14, 1994. (Part III of Form 10-K.)

FORM 10-K

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Securities Registered Pursuant to Section 12(b) of the Act:

Title of each class

Name of each exchange
on which registered

Common Stock \$2 par value

New York Stock Exchange

Preferred Stock Purchase Rights

New York Stock Exchange

Securities Registered Pursuant to Section 12(g) of the Act:

None

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☒

State the aggregate market value of the voting stock held by nonaffiliates of the registrant: approximately \$9.0 billion as of the close of business on February 28, 1995.

Indicate the number of shares outstanding of each of the registrant's classes of common stock, as of the latest practicable date: 114,097,214 shares of Common Stock, \$2 par value, outstanding at February 28, 1995.

Documents Incorporated by Reference

1. Portions of Monsanto Company Annual Report to security holders for the year ended December 31, 1994. (Parts I and II of Form 10-K.)
2. Portions of Monsanto Company Notice of Annual Meeting and Proxy Statement dated March 16, 1995. (Part III of Form 10-K.)